

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

ANGELA K. HERNANDEZ,

Petitioner,

vs.

MR. WILLIAMS,

Respondent.

**8:20CV188**

**MEMORANDUM AND ORDER**

This matter comes on for initial review of a prisoner's § 2241 petition challenging her federal confinement for failure to give her credit for time served prior to sentencing. The petition will be dismissed without prejudice because the § 2241 petition must be filed in the federal district where the petitioner is confined. The law is:

A § 2241 habeas petitioner seeking to challenge his present physical custody within the United States must file the petition in the district of confinement. *Rumsfeld v. Padilla*, 542 U.S. 426, 443, 124 S. Ct. 2711, 159 L. Ed. 2d 513 (2004). This rule applies to both state and federal prisoners filing § 2241 habeas corpus petitions.

Federal Habeas Manual § 1:102.

The petitioner is confined at a federal facility in Greenville, Illinois. I believe the proper place for filing is the United States District Court for the Southern District of Illinois. The address for that court is: 750 Missouri Avenue, East St. Louis, Illinois 62201.

IT IS ORDERED that Petitioner's § 2241 petition, Filing no. 1, is denied and dismissed without prejudice. No certificate of appealability will be issued. A separate judgment will be filed.

Dated this 19th day of May, 2020.

BY THE COURT:

  
Richard G. Kopf  
Senior United States District Judge